

HOUSE BILL 1818

By Hackworth

AN ACT to amend Tennessee Code Annotated, Title 50
and Title 56, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6, is amended by adding
the following as a new section, to be appropriately numbered:

50-6-____.

(a) The commissioner of labor and workforce development, or
commissioner's designee, shall order appropriate workers' compensation
benefits to be paid on an equal basis by the insurance carrier (or carriers) and
the self-insured employer, as appropriate, in any case where:

(1)

(A) An employer changes insurance carriers; or

(B) Where the employer having been self-insured,
becomes insured; or

(C) Having been insured, is approved to be self-insured;

and

(2) One of the following applies:

(A) The compensability of the claim is not being disputed
by the employer or carrier; or

(B) A workers' compensation specialist has determined the
claim to be compensable or ordered the provision of benefits to an
employee; and

(3) There is a dispute as to which entity is responsible to provide workers'
compensation benefits to a worker.

(b) Upon an agreement by the parties or a court order as to which entity is responsible to pay the workers' compensation benefits to the employee, the entity who is responsible for the provision of workers' compensation benefits shall reimburse the other entity all moneys paid for or on behalf of the employee as ordered by the commissioner of labor and workforce development, or commissioner's designee, plus interest from the date of payment at the rate set by Section 47-14-121.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.